

Remarks

Claims 1, 2, 5, 7-15, 17-25, 27, 28, 30, 32-39, 42-50, 80, 81, 83-89, and 91-95 are pending and at issue in the present application, claims 3, 4, 6, 16, 26, 29, 31, 40, 41, 82, and 90 having been previously cancelled, and claims 51-79 and 96-100 having been withdrawn from further consideration by the examiner. The examiner is requested to hold the non-elected claims in abeyance pending the filing of one or more divisional applications.

Applicants traverse the rejection of claims 1, 2, 5, 7-15, 17-25, 27, 28, 30, 32-39, 42-50, 80, 81, 83-89, and 91-95 as failing to comply with the written description requirement. While applicants respectfully disagree with the examiner's position in this regard, in the interest of advancing prosecution applicants have removed the matter rejected by the examiner with respect to the independent claims 1, 14, 25, 39, 80, and 88, and the claims 2, 5, 7-13, 15, 17-24, 27, 28, 30, 32-38, 42-50, 81, 83-87, 89, and 91-95 dependent thereon.

Further, independent claim 1 has been amended pursuant to the suggestion of the examiner to state "wherein the thermoplastic film layer is of a thickness of at least about 5 mils." Support for a thickness of at least about 5 mils may be found on page 11, line 14, of applicant's specification. Therefore, claim 1, and claims 2, 5, and 7-13 dependent thereon, fully comply with the written description requirement.

Applicants traverse the rejections of claims 1, 2, 5, 7-9, and 11-13 as being anticipated by Morris.

Claim 1, and claims 2, 5, and 7-13 dependent thereon, specify a single use processing substrate comprising a continuous, liquid permeable, thermoplastic film layer having holes disposed therein. The thermoplastic film layer is of a thickness of at least about 5 mils. The substrate further includes a liquid impervious barrier disposed opposite the film layer and a liquid absorbent portion disposed adjacent the film layer.

As should be evident from the foregoing, claim 1 recites a thickness for the continuous, liquid permeable, thermoplastic film layer of at least about 5 mils. Morris does not disclose or suggest a continuous, liquid permeable, thermoplastic film layer within the claimed range.

In fact, Morris discloses an apertured film facing that may be used in absorbent articles such as disposable diapers, sanitary napkins, and surgical dressings. One embodiment comprises a "liquid impermeable backsheet 14 [overlying] the first opposed face

of the absorbent core and a liquid permeable top sheet 15 [overlying] the second opposed face of the absorbent core. The liquid permeable top sheet comprises a hydrophobic film having a multiplicity of apertures 16 therein" (column 5, lines 4-9). Morris further teaches a preferred top sheet thickness of 0.5 to 1.5 mils (column 3, lines 29-32).

Because the prior art does not disclose or suggest each of the elements recited by the claims at issue, it follows that such claims are not anticipated thereby.

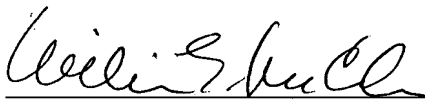
Further, because none of the prior art discloses or suggests that it would be desirable or even possible to provide a continuous, liquid permeable, thermoplastic film layer of at least about 5 mils, as specified by the claims at issue, it is evident that the claims are not obvious thereover. The prior art must disclose at least a suggestion of an incentive for the claimed combination of elements in order for a *prima facie* case of obviousness to be established. See *In re Sernaker*, 217 U.S.P.Q. 1 (Fed. Cir. 1983) and *Ex Parte Clapp*, 227 U.S.P.Q. 972, 973 (Bd. Pat. App. 1985).

The claims have been amended to further define the subject matter for which protection is sought and not to narrow the claimed subject matter. The amended claims do not present new matter.

An early and favorable action on the merits is respectfully requested.

Respectfully submitted,

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